

Division on Civil Rights

The Division on Civil Rights is responsible for enforcing the New Jersey Law Against Discrimination (LAD) and the New Jersey Family Leave Act. The LAD seeks to prevent and remedy unlawful discrimination in employment, housing, contracting and places of public accommodation. The Family Leave Act provides eligible employees with leaves of absence in connection with the birth or adoption of a child or the serious health condition of an eligible employee's parent, child or spouse. In a broader sense, the Division's mandate is to foster sensitivity, acceptance and respect among all people across the State. For this reason, the Division sponsors a variety of education and community outreach activities. The Division has five regional offices located in Atlantic City, Camden, Newark, Paterson and Trenton. In addition to processing and investigating complaints of unlawful discrimination, the Division receives — and responds to — nearly 20,000 inquiries annually from the general public and employers regarding civil rights law. For more information visit www.NJCivilRights.org.



Significant Cases and Orders

Internet Housing Discrimination Cases—

The Division filed housing discrimination complaints in 2006 against numerous landlords and real estate agencies that were targeted for state “testing” after they published apartment rental ads on the Internet specifying their intent to discriminate. In some cases, the Internet ads made clear that tenants who planned to pay using federal Section 8 rental assistance were not welcome. In other cases, the ads indicated that renters with children need not apply. All but one of the Internet ads was discovered on the popular Internet Web site www.Craigslist.org. In all but one of the cases, the landlords and real estate agents were accused not only of publishing discriminatory housing ads on the Internet, but of engaging in discriminatory conduct once contacted by undercover testers employed by the Division.

Among those civilly prosecuted by the Division in connection with on-line discrimination was Dr. Badawy M. Badawy, a Jersey City pediatrician. Badawy was charged with discrimination after telling a State tester who had responded to his on-line rental ad that he would not rent an apartment he owns — located above his Jersey City pediatrician’s practice — to anyone with children. Also prosecuted in connection with the same case were Century 21 On the River Realty of Edgewater, Bergen County, and two licensed real estate agents employed by the firm. The Internet ad for Badawy’s apartment stated “NO CHILDREN.” In an unrelated case, landlords Francesca and Rosa Grasso of Garfield, Bergen County, were charged with discrimination for publishing an on-line ad indicating that tenants using federal Section 8 rental assistance were not welcome. Landlords Gerald and Nancy Rubin were also charged with discrimination for placing on-line ads rejecting children relative to an apartment they were advertising in North Plainfield, Somerset County.

Sexual Harassment Cases—

The Division issued Findings of Probable Cause in 2006 against three major employers accused of discriminating against female workers by subjecting them to sexual harassment and a hostile work environment. The employers were also charged with failing to act once the employees reported their allegations. Named as Respondents in separate Findings of Probable Cause were Wal-Mart Stores Inc., the Amerada Hess Corporation, Inc., and Ozzie’s Ford Store, a Hudson county auto dealership.

In the Wal-Mart case, a cashier at a company-owned Wal-Mart in Union Township, Union county, alleged that she was targeted for repeated, unwelcome sexual advances and requests for sexual favors by two weekend security guards at the store. After she reported the harassment to store management, she alleged, her weekend working hours were curtailed. In the Amerada Hess case, a female employee filed a complaint against the company related to alleged harassment she experienced while working at her job as a cashier at a Hess service/convenience station in Woodbridge, Middlesex County. The worker charged that she was targeted for reprisals by Amerada Hess — including an unwanted transfer out of the Woodbridge location — after reporting to the company that her manager had made sexual advances and lewd comments to her. In the Ozzie’s Ford case, a former office manager at Ozzie’s, a car dealership located in Kearny, charged that she was forced to resign because of consistent sexual and race-based harassment in the workplace. A Finding of Probable Cause means the state has concluded its preliminary investigation and determined there is sufficient evidence to support a reasonable suspicion that the conduct at issue violated the New Jersey Law Against Discrimination (LAD).



Williams v. State Shuttle/Top Ten Leasing Inc.—

The wife of a bus driver who died of Acquired Immune Deficiency Syndrome was awarded \$12,000 in back pay and emotional distress compensation in 2006 after the Director of the Division on Civil Rights found that her husband was wrongfully denied work by his employer, State Shuttle/Top Ten Leasing Inc., in the months prior to his death. Despite a doctor's note clearing him to return to work, and despite evidence of a shortage of bus drivers at State Shuttle/Top Ten Leasing, the driver was not contacted with work assignments following his return from an illness-related leave of absence. An Administrative Law Judge originally dismissed the complaint, but the Director of the Division found there was sufficient evidence in the record to conclude that the driver was denied work because of a disability in violation of the New Jersey Law Against Discrimination.

Kathleen Connors Ryan v. Freehold Regional High School District—

The Director awarded educator Kathleen Connors Ryan \$305,025 in back pay and \$25,000 in compensation for pain and humiliation in connection with the refusal of the Freehold Regional High School district to rehire her. Ryan alleged in her original Complaint that Freehold was refusing to rehire her as a retaliatory measure because, during her prior employment with the district, she had asserted her right to time off under the Family Leave Act.

Keynote Initiatives

Mediation Unit: In 2006, the Division's Mediation Unit successfully resolved 158 cases. The total amount of money obtained for complainants through mediation was \$602,477. The Mediation Unit provides parties an opportunity to resolve complaints amicably in the early stages of the process. Mediation typically begins within two months of the filing of a Verified Complaint. Successful mediation allows parties to address a complaint expeditiously while eliminating litigation expenses.

Case Management Initiatives—

Through its vigorous case management initiatives, the Division continued in 2006 to resolve many of its oldest cases. Targeting all cases that had been under investigation for at least one year, the Division aggressively pursued resolutions and, by June 30, had closed out all but 90 of 507 cases categorized as "backlogged." On July 1, 2006, the Division's Case Management Unit and Bureau of Enforcement began work on a new initiative targeting 407 additional cases. As of year's end, more than 200 of those cases had been resolved. Overall, the Division reduced its caseload to 1,172 active cases in 2006 – the lowest number of cases under investigation since 1984.

Training and Outreach—

Through its Bureau of Prevention and Community Relations, the Division continued in 2006 to provide quality civil-rights-related training to employers in the public and private sectors, in addition to landlords, fair housing organizations, school districts and others. For the year, the Division conducted 171 training seminars statewide involving more than 8,500 participants. The Division also took part in a number of joint training initiatives for educators and employers focused on bias-related bullying and harassment. The Division's partner in those joint training efforts was the Office of Bias Crime and Community Relations within the Division of Criminal Justice.

IAOHRA Conference in A.C.—

The Division co-hosted the 58th Annual conference of the International Association of Official Human Rights Agencies (IAOHRA) in Atlantic City from September 12 through September 15. Hundreds of people from around the nation attended the four-day event in Atlantic City. Held under the working title "Building the Boardwalk to Justice," the conference featured workshops and training sessions led by leaders in the areas of human relations and civil rights. Co-hosts of the conference included the New Jersey Commission on Civil Rights and the New Jersey Human Relations Council.

